

76-6-105. Causing a catastrophe -- Penalties.

(1) Any person is guilty of causing a catastrophe if the person causes widespread injury or damage to persons or property by:

- (a) use of a weapon of mass destruction as defined in Section 76-10-401; or
- (b) explosion, fire, flood, avalanche, collapse of a building, or other harmful or destructive force or substance that is not a weapon of mass destruction.

(2) Causing a catastrophe is:

(a) a first degree felony if the person causes the catastrophe knowingly and by the use of a weapon of mass destruction;

(b) a second degree felony if the person causes the catastrophe knowingly and by a means other than a weapon of mass destruction; and

(c) a class A misdemeanor if the person causes the catastrophe recklessly.

(3) In addition to any other penalty authorized by law, a court shall order any person convicted of any violation of this section to reimburse any federal, state, or local unit of government, or any private business, organization, individual, or entity for all expenses incurred in responding to the violation, unless the court states on the record the reasons why the reimbursement would be inappropriate.

Amended by Chapter 166, 2002 General Session